

|  |   |   |
|--|---|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |   | ATTORNEY'S DOCKET NUMBER<br>14384-004US1 SHR 504423USPR<br>U.S. APPLICATION NO. (If known, use 37 C.F.R. 1.5)<br><div style="font-size: 2em; font-weight: bold; margin-top: 5px;">107563027</div> |
| INTERNATIONAL APPLICATION NO.<br>PCT/NZ2004/000136   | INTERNATIONAL FILING DATE<br>30 June 2004 | PRIORITY DATE CLAIMED<br>2 July 2003  |
| TITLE OF INVENTION<br>BETA-GLUCAN-CONTAINING PRODUCTS, METHODS OF MAKING SAME, AND USES THEREFOR   |   |   |
| APPLICANT(S) FOR DO/EO/US<br>Keith Raymond Morgan  |   |   |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol> |   |   |
| <b>CERTIFICATE OF MAILING BY EXPRESS MAIL</b><br>Express Mail Label No. EV 664075060 US<br>Date of Deposit: December 30, 2005  |   |   |

SUBSTITUTE PTO-1390

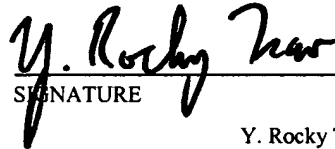
|  |              |  |         |  |        |
|--|--------------|--|---------|--|--------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><div style="font-size: 2em; font-weight: bold; text-align: center;">10/963027</div>  |              | INTERNATIONAL APPLICATION NO.<br>PCT/NZ2004/000136                               |         | ATTORNEY'S DOCKET NUMBER<br>14384-004US1 |        |
| 20. Other items or information:<br>International Search Report<br>Written Opinion  |              |  |         |  |        |
| The following fees have been submitted   |              |  |         | CALCULATIONS PTO USE ONLY                |        |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.192(a)) ..... \$300   |              |  |         | \$300.00                                 |        |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared<br>by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0<br>All other situations ..... \$200   |              |  |         | \$200.00                                 |        |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.92(b))<br>If the written opinion of the ISA/US or the international preliminary examination report prepared by<br>IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an<br>International Searching Authority ..... \$100<br>International Search Report prepared by an ISA other than the US and provided to the Office or<br>previously communicated to the US by the IB ..... \$400<br>All other situations ..... \$500 |              |  |         | \$400.00                                 |        |
| <b>Total of 21, 22 and 23 =</b>  |              |  |         | \$900.00                                 |        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding<br>sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an<br>electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |  |         |  |        |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction<br>thereof (round up to a whole number) | RATE    |  |        |
| -100 =   | /50 =        |  | X \$250 | \$0.00                                   |        |
| Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the<br>date of commencement of the national stage (37 C.F.R. 1.492(h)).   |              |  |         | \$0.00                                   |        |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA   | RATE    |  |        |
| Total Claims   | 30 - 20 =    | 10   | x \$50  | \$500.00                                 |        |
| Independent Claims   | 5 - 3 =      | 2  | x \$200 | \$400.00                                 |        |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |  | + \$360 | \$0.00                                   |        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |  |         | \$1,800.00                               |        |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by 1/2.   |              |  |         | \$0.00                                   |        |
| <b>SUBTOTAL =</b>  |              |  |         | \$900.00                                 |        |
| Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed<br>(priority date (37 C.F.R. 1.492(i)))  |              |  |         | \$0.00                                   |        |
| <b>TOTAL NATIONAL FEE =</b>  |              |  |         | \$900.00                                 |        |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied<br>by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property  |              |  |         | \$0.00                                   |        |
| <b>TOTAL FEES ENCLOSED =</b>   |              |  |         | \$900.00                                 |        |
|  |              |  |         | Amount to be<br>refunded:                | \$0.00 |
|  |              |  |         | Amount to be<br>charged:                 | \$0.00 |

- a. ☒ A check in the amount of \$900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

PTO Customer No: 26161

  
SIGNATURE

Y. Rocky Tsao

NAME

34,053

REGISTRATION NUMBER

21237198.doc